



Docket No. 15-XZ-4971

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the Application of:	)	
	)	
Kenneth Kump	)	<b>EXPRESS MAIL NO. EV 105519002US</b>
	)	
Serial No.: 09/344,190	)	<b>DATE: November 22, 2002</b>
	)	
Filed: 6/24/1999	)	
	)	<b>Examiner: B. Choobin</b>
For: METHOD AND APPARATUS FOR	)	
DETERMINING A DYNAMIC RANGE OF	)	<b>Group Art Unit: 2625</b>
A DIGITAL MEDICAL IMAGE	)	

**AMENDMENT UNDER 37 C.F.R. §1.116**

Commissioner for Patents  
Washington, D.C. 20231

Dear Sirs:

The following Remarks are in response to the Advisory Action mailed November 5, 2002. Please consider the following in addition to the Amendment under 37 C.F.R. §1.116 which was filed on August 13, 2002.

**REMARKS**

Claims 1, 3-12 and 15-27 remain pending in the present application. It is respectfully submitted that the pending claims define allowable subject matter.

In the Office Action dated June 14, 2002, claims 1, 3-12 and 15-27 were rejected under 35 U.S.C. § 102(e) as being anticipated by Ergun et al. (USP 6,298,109) Applicant respectfully traverses the outstanding rejection for reasons set forth in the Amendment under 37 C.F.R. §1.116 which was filed on August 13, 2002. Applicant respectfully requests the Examiner to consider the following remarks in addition to the aforementioned Amendment.

Applicant would like to further address the step in claim 1 of "calculating a dynamic range based on a clinical region within each of said at least two bands". Applicant respectfully submits